



Barbie D. Lieber
212-949-5586
barbie@lieberlegal.com

Letter of Adjournment And Related Request

January 10, 2014

Honorable Nancy Hershey Lord
U.S. Bankruptcy Court
271 Cadman Plaza East
Brooklyn, NY, 11201

RE: Image Rent A Car, Chapter 7, Case Number: 11-42390, Adversary Proceeding Number 12-01288

Dear Judge Lord:

I represent creditor Digby Adler Group, LLC ("Digby"), the only unsecured creditor to have filed a claim against the Debtor whose case was admittedly filed to avoid the trademark lawsuit commenced by my client. The Debtor, who is now represented by defendant Schneior Zilberman's ("Zilberman") counsel, has filed an objection to Digby's claim

There are a number of matters on the main and adversary calendar:

1. The Trustee's Motion to approve a proposed settlement with defendants (the "Settlement Motion; this is on both calendars);
2. Digby's (a) Cross Motion to Dismiss the Case pursuant to 11 USC§ 707(a) of the Bankruptcy Code ("Cross Motion to Dismiss Case); and (b) opposition to the settlement motion;
3. The Debtor's Motion Objecting to Digby's Claim (the "Claims Objection"); and
4. Digby's combined:
 - (a) Cross Motion to Strike the Claims Objection filed by the Debtor for lack of standing, given that, *inter alia*, its petition and schedules reflect that it is insolvent;
 - (b) Supplement to its Cross Motion to Dismiss Case; and
 - (c) Request for the Court to Refer this Matter for Investigation Pursuant to 18 USC §3057(a) given, *inter alia*, testimony in a recent deposition of Mr. Zilberman (attached as Exhibit A to Exhibit Binder served with the forgoing Motion) and newly obtained documents also attached as exhibits to the Exhibit Binder. (The foregoing papers were served via hand on the Debtor's counsel yesterday, the

Law Offices of Lieber & Lieber, LLP

The Lincoln Bldg. 60 E. 42nd St. New York, NY 10165
Tel 212-949-5585 Fax 212-949-5587
www.lieberlegal.com

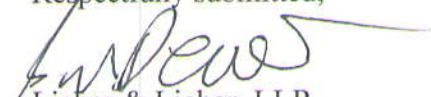
Trustee and his special counsel and the Office of the US Trustee, and others by overnight mail. Chambers should have also have received a copy of same.)

This letter confirms that the first two (2) matters which were scheduled for January 16, 2014 have been adjourned on consent to the preset hearing date of February 5, 2014 at 2:30 pm. In terms of Claims Objection, Mr. Weiner advised me in part yesterday: "...my client would not let me consent to an adjournment" of the Claims Objection."

Given the fact that Digby has filed a Cross Motion to Strike the Claims Objection and has filed a Motion to Dismiss the case, either of which if granted, will render the Claims Objection moot, I would respectfully request that your Honor adjourn the January 16th hearing on the Claims Objection, making it returnable on February 5th at 2:30 when all of the other related motions will be heard.

Thank you for your consideration.

Respectfully submitted,


Lieber & Lieber, LLP